

Before you make a decision on the death penalty, would you please take into consideration my outlook on it. I believe you have been misinformed and pressured into a consensus for political reasons and would urge you to make this a decision a vote by the people of the Great State of Montana. I do not believe this is the outlook of the people in which you represent.

The recent majority legislative decisions have indicated that they do not support the death penalty. I am outraged that this issue continues to be raised without the acknowledgement and overall vote of the people of Montana.

Instead, the issue rests on a few opinionized individuals imposing a way of life on the people they say they represent. I believe the facts are misleading and I know that their decision does not represent me. The majority has justified their opinion by supporting point of views such as that the death penalty does not deter crime. I don't know about you, but I sure don't want to be executed. Knowing that committing a certain crime would result in my execution definitely deters me from wanting to commit that type of crime. I would presume that I am not the only person in the entire great State of Montana that has this outlook. Therefore, that statement is not true. The reason sanctions are implemented for breaking laws is to reduce that type of activity and the penalty has got to fit the crime. Notice, I state reduce activity, as it is impossible to totally eliminate a certain behavior from all facets of life. For example, I would love to be able to drive anyway, anywhere, at anytime and as fast as I want to, but the established social morality and the sanctions of the laws keep me from doing so resulting in safer driving conditions. In a more extreme way, the death penalty serves the same purpose only at a higher level.

There is a real place and need in our society for the death penalty. It is a mark for our society to draw a line for our morality and overall existence. Granted the number of these types of heinous individuals that would qualify for a sentence of this nature is minimal and currently there are only two individuals in Montana serving this well earned sentence. I would agree that this type of sentence needs to be assessed with extreme precision, the utmost attention to detail and outlined with precise criteria. Then carried out in a swift process in the most humane way possible. Not prolonged in a hope that the crime didn't exist and allowing opportunities for a loop hole to develop to exonerate the guilty.

One of the main arguments of the majority of our legislatures for eliminating the death penalty is because it is too expensive. I find it ludicrous in the first place that they define morality based on a dollar amount, but the fact is they are wrong. In fact, the death penalty is cheap compared to incarceration. It costs approximately \$90 for the drugs for

leathal injection. The cost of incarceration of a felon for a year, well exceeds the average state employees yearly wages that oversee their care. What is really identified and referred to as too expensive, is the distorted avenues of appeals. The fact is that a person given a life sentence has the same right of appeals as a person serving the death penalty. Thus, if the same person decides to appeal no matter if they are given a life sentence, the death penalty or even 100 years, the cost is and/or could be the same. It is no secret that the appeal process is lengthy, inadequate and results in an abundance of wasted time which equals into wasted dollars. Some legislatures themselves, identify discrepancies during sentencing which is no secret. However, I don't see these issue on the legislative itinerary for correction.

Another legislative point for eliminating the death penalty is that it impacts the surviving victims and their families negatively. Montana has executed three individuals since 1976. You can research them on the internet. Read through the victims comments and see what was stated for yourself. Again, the negative that I interpreted was that they had to go through decades of appeals and had to resect the horror over and over until the sentence was finally executed. Then they found relief and indicated they were glad it was over and finally could go on with their lives. Again, it appears that the appeal process is at fault and not the sentence. However, I would argue that the actual commission of the crime and the inability to render appropriate justice is the direct negative impact on victims.

Another argument used to try and eliminate the death penalty is that innocent people are accused of crimes they did not commit and are put to death wrongfully. In Montana, can you name one? Ever? This has never happened in Montana with someone serving a death sentence. I have heard of individuals being exonerated of crimes over a period of time with other sentences. Isn't it just as much a travesty to incarcerate any innocent person of a crime regardless of the sentence given? The majority of legislatures implies that given an innocent person a life sentence or 100 years instead of the death penalty is justifiable. Personally, if I am that innocent person, I would rather have the death sentence than be drug through the rest of my life in termoil and fear that would likely lead me into bitterness, resentment and self destruction. The problem is not the sentence given, but the process in which the verdict is derived. I would believe this discrepancy to be more abundant to sentences that do not involve corperal punishment but they are not as high profile. However, I do not see anything to correct these problems on the legislative agenda and I would suspect that a lawsuite for illegal incarceration is not cheap for the taxpayers either.

What is not being considered here is what happens to the offender? Do you think that just because they are given a sentence that their dangerous behaviors are eliminated or even diminished because they are incarcerated? Of course not! The fact usually is that they had repetitive prior criminal histories that escalated to a severe incident. They are then placed in a restricted environment, around the same dangerous elements as they are and encouraged to demonstrate behaviors they are defiant to. The outcome results in a more dangerous individual with the mentality that they have nothing to lose. So, who is affected? Usually, Law Enforcement Officers, Correctional staff and other less/non violent offenders. So what keeps these predators from killing again? The answer is limited opportunity and the presence of the death penalty. Without these barriers, each additional heinous act is just a bonus for them without any sanction. In other words a sacrifice. Why would you sacrifice or intentionally put these types of people at risk as most offenders will be returned to your community? What kind of offender do you want living next to you?

These are the questions I urge you to take into consideration and do not eliminating the death penalty. If you still feel this is still worth pursuing, then present it to the Montana voters for approval to ensure this is the morality in life they chose. If the citizens of Montana want to eliminate corporal punishment, then let it be so. However, let it be an educated decision that is decided by the citizens of Montana and not some politician lobbying a personal agenda to make a name for themselves.

The bottom line is there is a need for the death penalty. We should be proud that it isn't misused and that there are only two individuals that required the death penalty in Montana at this time. Just because we do not abundantly use the sentence does not mean that there will never be a situation in which it is appropriate. Just as there is a need and variant for imposing minimal community based sentences, there is a need for a death sentence also. Thank you for your time and consideration.

sincerely,

Bob Shaw